



THE CITY OF NEW YORK  
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**VIA ECF**

The Honorable Analisa Torres  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *David Floyd, et al. v. City of New York*, 08 CV 1034 (AT);  
*Kelton Davis, et al. v. City of New York, et al.*, 10 CV 699 (AT);  
*Jaenean Ligon, et al. v. City of New York, et al.*, 12 CV 2274 (AT)

Your Honor:

I am a Senior Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney assigned to the above-referenced matter on behalf of defendant City of New York (“City”). On June 14, 2019, the Monitor filed a proposed confidentiality order in connection with the Court-ordered combined pilot study concerning: (1) electronic documentation of *De Bour* Level 1 and 2 encounters; and (2) body-worn camera activation during Level 1 encounters. *See* Letter, *Floyd v. City of New York*, No. 08 CV 1034 (AT), ECF No. 712 (S.D.N.Y. June 14, 2019). Plaintiffs’ counsel for *Floyd*, *Davis*, and *Ligon* filed their objections in response to the proposed order on June 28, 2019. *See* Objection, *Floyd v. City of New York*, No. 08 CV 1034 (AT), ECF No. 717 (S.D.N.Y. June 28, 2019); Objection, *Ligon v. City of New York*, No. 08 CV 1034 (AT), ECF No. 388 (S.D.N.Y. June 28, 2019).

Plaintiffs’ counsel seek a modification of the proposed pilot study confidentiality order to ensure that plaintiffs and Communities United for Police Reform have “access to de-identified data and analyses” obtained or created during the course of the Combined Pilot. *See* Objection, *Floyd v. City of New York*, No. 08 CV 1034 (AT), ECF No. 717, at 5-6 (S.D.N.Y. June 28, 2019). One stated rationale for this modification is that such access would “assist the Court in its evaluation of the study,” and would additionally “assist all parties in achieving substantial compliance.” *See* Objection, *Floyd v. City of New York*, No. 08 CV 1034 (AT), ECF No. 717, at 6 (S.D.N.Y. June 28, 2019). The City maintains that it too has an interest in de-identified data and analyses for those stated reasons; accordingly, the City requests that to the

extent the Court modifies the proposed pilot study confidentiality order to grants plaintiffs' counsel access to this material, that modification will apply with equal force to the City's access as well.

Thank you for your time and consideration.

Respectfully submitted,

/s/

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cc: **VIA ECF**  
*All Parties on Record*